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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/568,196	05/03/2007	Vladimir Halic	7051P027	8135
23446 7590 11/05/2009 MCANDREWS HELD & MALLOY, LTD 500 WEST MADISON STREET SUITE 3400 CHICAGO, IL 60661			EXAMINER KIM, KEVIN Y	
			ART UNIT 3714	PAPER NUMBER
			MAIL DATE 11/05/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/568,196	Applicant(s) HALIC ET AL.	
	Examiner KEVIN Y. KIM	Art Unit 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 September 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 11-20 and 22-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-20 and 22-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9/21/2009 has been entered.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Diaz et al in view of Do et al, Hessie (US 2006/0003845 A1), Cole (US 2004/0087374 A1), and Crivelli et al (US 2005/0049043 A1).

4. Re claim 1, the previous rejection with respect to Diaz in view of Do is incorporated herein. However, Diaz and Do are silent on the newly amended limitations. With respect to the newly added limitations, Cole teaches:

a housing (figure 1);

a box-shaped structure disposed within the gaming machine and enclosing the

game control board (figure 3);

first and second members defining an access opening, said first member hingedly attached to said second member, and said first member moveable to a closed position relative to said second member in which said first and second members define a volume, and to an open position in which said first member is displaced with respect to said second member (figure 3); and

a lid positionable relative to said first and second members for closing said access opening and defining said volume when said first member is in said closed position, and engaging said first member thereby preventing said first member from being displaced with respect to said second member (figure 3, 38).

Cole is silent on the game control board being fixedly positioned on the first member. Hessie teaches a case in which a first member is hingedly attached to a second member with a game board affixed to the first member (figure 6). By implementing a computer case with a hinging first member attached to a second member as per Cole, access is provided to the interior of the housing via an opening (paragraph [0016]). By placing the motherboard and other vital system components on the hinging member, said components are more readily accessible and provides ease of access when combined with the hinged members and lid.

Finally, Cole and Hessie do not disclose the first member being completely detachable from said second member. Crivelli teaches a first and second member attached by a hinge (figures 13-15). Said hinge is detachable (paragraph [0055]), and thus, makes the first and second members completely detachable. By making the members detachable, it affords even easier access to the interior by allowing the parts

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to be disassembled.

Thus, it would have been obvious to one skilled in the art at the time the invention was made to implement a lid and to place system components on the hinging member in order to provide a quick way to access the interior of the system components while also ensuring that vital components are easily accessed without the need for reaching into tight spaces and needlessly disconnecting wires, cables, and other components.

5. Re claim 2, Cole teaches a bottom member, rear member, and side members, the top and bottom members spanning the sides (figures 1-5B).

6. Re claims 5-24, the previous rejection with respect to Diaz in view of Do is incorporated herein. Furthermore, figures 1-5B of Cole clearly teach the physical structure of a box with an opening and hinges. Claim 20 is similar in structure to claim 1 and thus may be rejected similarly.

Response to Arguments

7. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection. Diaz, Do, Cole, and Hessie do not disclose a detachable first and second member, rectified by the citation of Crivelli. Furthermore, the examiner disagrees with the applicant that computers are not gaming machines. Computers have been used to play games for years, as the computer gaming market shows. Additionally, a game machine that relies on electronics to function is a computer, as the electronics do calculations and computations in order to afford gaming functionality to the machine. Stating a computer to not be a gaming

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machine would be in essence, stating that the claimed invention is not a gaming machine.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KEVIN Y. KIM whose telephone number is (571)270-3215. The examiner can normally be reached on Monday-Thursday, alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on 571-272-4690. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John M Hotaling II/
Primary Examiner, Art Unit 3714

/K. Y. K./
Examiner, Art Unit 3714